

THE INDIAN FOREST ACT, 1927 (XVI OF 1927).

G. N., R. D., No. 7212, dated 24th July 1923.

Ss. 2 & 63

(a) The Government of Bombay is pleased in exercise of the powers conferred by section 2 of the Indian Forest Act, 1878 (VII of 1878) (now XVI of 1927), to appoint, in virtue of their offices, the Mamlatdars of Honawar, Kumta and Ankola talukas and the Mahalkari of Bhatkal petha in the Kanara district to be forest officers for all the purposes of the said Act, with respect to such village forests as may from time to time be constituted under section 27 (now section 28) of the said Act within the limits of their respective charges ;

(b) under section 67 (now section 68) of the said Act, to invest the said officers, in virtue of their offices, with the powers specified in the said section with respect to the said village forests.

G. N., R. D., No. 2608/24, dated 29th January 1925.

Ss. 2 & 68

(a) The Government of Bombay is pleased in exercise of the powers conferred by section 2 of the Indian Forest Act, 1878 (VII of 1878) (now XVI of 1927), to appoint, in virtue of his office, the Mamlatdar of Haliyal in the Kanara district to be a forest officer for all the purposes of the said Act, with respect to such village forests as may from time to time be constituted under section 27 (now section 28) of the said Act within the limits of his charge ;

(b) under section 67 (now section 68) of the said Act, to invest the said officer, in virtue of his office, with the powers specified in the said section with respect to the said village forests.

G. N., R. D., No. 7480/33, dated 4th November 1940 (B. G., Pt. IV-A, p. 1065).

S. 2 (2)

In exercise of the powers conferred by clause (2) of section 2 of the Indian Forest Act, 1927 (XVI of 1927), and in supersession of Government Notification, Revenue Department, No. 7990-A, dated the 15th November 1882, the Government of Bombay is pleased to appoint all officers of the Customs, Salt and Excise Departments, to be Forest officers for the purposes of carrying out the provisions of section 52 of said Act and rule 21 of the Bombay Presidency Forest Produce Transit Rules, 1922, published in Government Notification, Revenue Department, No. 2546-D, dated the 24th July 1922.

G. N., R. D., No. 4335/39 (d), dated 1st October 1942 (B. G., Pt. I, p. 3795).

Ss. 2, 25, 61,
68 & 72.

In exercise of the powers conferred by section 2, 25, 61, 68 and 72 of the Indian Forest Act, 1927 (XVI of 1927) and in supersession of the Government Notifications in the Revenue Department noted below, namely :—

- (1) No. 5123, dated the 20th June 1892,
- (2) No. 8155-A, dated the 14th October 1892,
- (3) No. 4092, dated the 31st May 1895,
- (4) No. 4092-A, dated the 31st May 1895,

- (5) No. 5932, dated the 6th August 1895,
- (6) No. 2765, dated the 30th March 1896,
- (7) No. 1090, dated the 9th February 1897,
- (8) No. 4909, dated the 8th August 1900,
- (9) No. 6308, dated the 3rd August 1903,
- (10) No. 9401, dated the 21st November 1905,
- (11) No. 9479, dated the 2nd October 1916,
- (12) No. 5534/28, dated the 2nd February 1931,
- (13) No. 7480/33, dated the 4th November 1940,

the Government of Bombay is pleased—

(1) to empower and appoint the following officers of the Forest Department to do anything required to be done by a Forest-officer under the sections of the said Act specified against them :—

Forest Officers.	Sections.
(a) Conservators	... Section 17.
(b) Conservators and Deputy and Assistant Conservators.	Sections 21, 46, 56, 57, 68 and 72.
(c) Conservators, Divisional Forest Officers and the Sub-Divisional Forest Officers, Surat, West Khandesh and Satara.	Sections 25, 26 (1) (c), 38, 47, 50, 61 and 83.
(d) Range Forest Officers	... Sections 56 and 57.
(e) Conservators, Deputy and Assistant Conservators, Rangers, Foresters and Forest Guards.	Sections 26 (2) (a), 34, 44, 45, 52, 64, 66, 70 and 79 ;

(2) to authorise every Collector to be the officer with whose previous sanction the Forest-officer should exercise the power under section 25 of the said Act to stop public or private ways and water courses in reserved forests ;

(3) (a) to appoint all Collectors and Assistant and Deputy Collectors and all Mamlatdars and Mahalkaris in the State of Bombay to be Forest-officers for all the purposes of the said Act and the Bombay Forest Rules, 1942, with respect to such reserved or protected forests within the limits of their respective charges, as may from time to time, be under the management of the Revenue Department ;

(b) subject to the provisions of sub-section (3) of section 68 of the said Act, to invest the said officers, with the powers specified in section 68 of the said Act, with respect to such forests ; and

(c) to invest all Collectors with the power specified in section 61 of the said Act ;

(4) to appoint all Circle Inspectors, Village Accountants and Revenue or Police Patels in the State of Bombay to be Forest-officers for the purposes of sections 52, 64 and 66 of the said Act, with respect to such forests within the limits of their respective charges as may from time to time be under the management of the Revenue Department ;

(5) to appoint all officers of the Customs, Salt and Excise Departments, excluding those serving in the Ahmedabad and Kaira Districts and the Broach Sub-Division of Broach and Panch Mahals District, to be Forest-officers for the purposes of carrying out the provisions of section 52 of the said Act and rule 85 of the said rules ;

(6) to appoint the Chief Commissariat Officer, Poona, to be a Forest-officer for all the purposes of the said Act and rules in respect of the reserved forest *kurans* in the Poona district which have been assigned for the use of the Commissariat Department ;

(7) to appoint the Superintendent of Grass Operations, Commissariat Department, Poona, and the Commissariat Kuran chaukidars in the district of Poona, to be Forest-officers throughout the areas to which their duties extend for the purposes of sections 52, 64 and 70 of the said Act ;

(8) to appoint the Officer Commanding, Remount Depot, Ahmednagar, to be a Forest-officer for all the purposes of the said Act and rules in respect of the reserved forest *kurans* in the Ahmednagar district which have been assigned for the use of the Army Remount Department ; and

(9) to appoint the Manager, Military Grass Farms, Ahmednagar, to be a Forest-officer for all the purposes of the said Act and rules in respect of the reserved forest *kurans* in the Ahmednagar district which have been assigned for the use of the Military Grass Farms Department.

G. N., R. D., No. 4335/39(e), dated 1st October 1942 (B. G., Pt. I, p. 3796).

S. 72 (1)(e)

Amended by G. N., R. D., No. 5803, dated 17th December 1942.

Amended by G. N., R. D., No. 5803, dated 10th July 1943.

Amended by G. N., A. & F. D., No. 5803-J, dated 9th September 1950.

In exercise of the powers conferred by clause (c) of sub-section (1) of section 72 of

- (1) No. 5803 dated 9th September 1922.
- (2) No. 5803, dated 8th August 1928.
- (3) No. 5803, dated 6th May 1929.
- (4) No. 5803, dated 20th March 1930.
- (5) No. 5803, dated 8th November 1930.
- (6) No. 5803, dated 21st August 1931.
- (7) No. 5803, dated 12th July 1934.
- (8) No. 5803, dated 16th January 1937.
- (9) No. 5803, dated 3rd March 1937.
- (10) No. 5803, dated 25th May 1938.
- (11) No. 5803, dated 9th June 1939.
- (12) No. 5800, dated 19th December 1939.
- (13) No. 5803, dated 28th May 1940.
- (14) No. 5803, dated 20th July 1941.

the Indian Forest Act, 1927 (XVI of 1927), and in supersession of Government Notifications in the Revenue Department specified in the margin, the Government of Bombay is pleased to invest the Forest Officers specified in the Table hereto who have completed five years' service as Ranger with the power specified in the said clause, namely the power to issue a search-warrant under the Code of Criminal Procedure, 1898 :—

TABLE.

Northern Circle.

1.	Range Forest Officer, Godhra	..	} Panch Mahal Forest Division.
2.	Do. North Godhra	..	
3.	Do. Halol	..	
4.	Do. Dohad	..	
5.	Do. Jhalod	..	

Northern Circle—contd.

6.	Range Forest Officer,	Palghar	...	} North Thana Forest Division.
7.	Do.	Sanjan	...	
8.	Do.	Kasa	...	
9.	Do.	Manor	...	
10.	Do.	Dahisar	...	
11.	Do.	Bassein	...	} West Thana Forest Division.
12.	Do.	Kalyan	...	
13.	Do.	Bhiwandi	...	
14.	Do.	Salsette	...	
15.	Do.	West Murbad	...	
16.	Do.	East Murbad	...	
17.	Do.	Mandvi	...	
18.	Do.	Shahapur	...	} East Thana Forest Division.
19.	Do.	Khardi	...	
20.	Do.	Igatpuri	...	
21.	Do.	Dhasai	...	
22.	Do.	Kalwan	...	} East Nasik Forest Division.
23.	Do.	Nandgaon	...	
24.	Do.	Malegaon	...	
25.	Do.	Nasik	...	} West Nasik Forest Division.
26.	Do.	Dindori	...	

Central Circle.

1.	Range Forest Officer,	Jalgaon	...	} East Khandesh Forest Division.
2.	Do.	Raver	...	
3.	Do.	Chopda	...	
4.	Do.	Yawal	...	
5.	Do.	Taloda	...	West Khandesh Forest Division.
5A.	Do.	Nandurbar	...	West Khandesh Forest Division.
6.	Do.	Dhulia	...	West Khandesh Forest Sub-Division.
7.	Do.	Alibag	...	} Kolaba Forest Division.
8.	Do.	Pen	...	
9.	Do.	Karjat	...	
10.	Do.	Roha	...	
11.	Do.	Dhebewadi	...	Satara Forest Sub-Division.
12.	Do.	Karad	...	Satara Forest Sub-Division.
13.	Do.	Mahabaleswar	...	} West Range, Poona Forest Division.
14.	Do.	Poona	...	

Southern Circle.

1.	Range Forest Officer, Haliyal	...	Northern Kanara Forest Division.
2.	Do.	Sirsi-Siddapur	...
3.	Do.	Karwar	...
4.	Do.	Kadra	...
5.	Do.	Ankola	...
6.	Do.	Honawar	...
7.	Do.	Bhatkal	...
8.	Do.	Gokak	...
9.	Do.	Gujnal	...
10.	Do.	Khanapur	...
11.	Do.	Nagargali	...
12.	Do.	Dharwar	...
13.	Do.	Kalghatgi	...
14.	Do.	Hangal-Dhundshi	...
15.	Do.	Kod	...
16.	Do.	Badami	...
17.	Do.	Bagalkot	...

G. N., R. D., No. 4335/39, dated 1st October 1942 (B. G., Pt. IV-A, p. 408).

Amended by G. N., A. & F. D., No. 4960/45471-J, dated 3rd November 1952.

Amended by G. N., A. & F. D., No. 4960/51488-J, dated the 13th December 1952.

Ss. 26, 32, 41,
42, 51 and 76.
Bombay For-
est Rules,
1942.

In exercise of the powers conferred by sections 26, 32, 41, 42, 51 and 76 of the Indian Forest Act, 1927 (XVI of 1927), and of all other powers enabling it in this behalf, and in supersession of all previous rules made in this behalf, the Government of Bombay is pleased to make the following rules :—

CHAPTER I.

PRELIMINARY.

1. *Short title and extent.*—These rules shall be called the Bombay Forest Rules, 1942, and shall apply to the State of Bombay excluding the City of Bombay.

2. *Interpretation.*—In these rules, unless there is anything repugnant in the subject or context,—

(a) “ Act ” means the Indian Forest Act, 1927 ;

(b) “ Divisional Forest Officer ” shall include the Sub-Divisional Forest Officers, Surat, West Khandesh and Satara within their respective jurisdictions ;

(c) with respect to reserved or protected forests under the management of the Revenue Department, “ Conservator of Forests ”, “ Divisional Forest Officer ” and “ Range Forest Officer ” shall mean respectively the “ Collector ”, “ Prant Officer ” and “ Mamlatdar or Mahalkari ” in whose jurisdiction such forests lie ;

(d) the expression “ protected animal ” means an animal to which the provisions of the Wild Birds and Animals Protection Act, 1912, apply ;

(e) “ Section ” means a section of the Act ; and

(f) all words and expressions used but not defined in these rules shall have the meanings assigned to them in the Act.

CHAPTER II.

PROTECTION OF RESERVED FORESTS FROM FIRE.

[Section 26 (1) (b).]

3. *Kindling, etc., of fire on roads or paths adjoining or passing through reserved forests prohibited.*—Except at such places as may from time to time be notified locally by the Divisional Forest Officer, no person shall kindle any fire or leave any fire burning upon any public or private road or path which adjoins or passes through a reserved forest but does not form part of such forest.

4. *Precautions to be taken in making ash-manure near a reserved forest.*—No person shall ignite materials for making ash-manure in any field within two hundred yards from the boundary of a reserved forest, unless—

(i) there is between such boundary and the spot on which such materials are ignited a space at least 25 feet in width which is clear of vegetation capable of carrying fire from such spot to the forest; and

(ii) such other precautions, such as employing watchers, are taken as are reasonably necessary to prevent fire from spreading to the forest.

5. *Kindling of fire within 200 yards from a reserved forest prohibited.*—Except for the purposes of making ash-manure, no fire shall be kindled elsewhere than in a place used as a human dwelling or in premises appertaining to such dwelling, within a distance of two hundred yards from the boundary of a reserved forest, without the previous written permission of a Forest-officer not lower in rank than a Range Forest officer.

6. *Precautions to be taken in kindling fire beyond 200 yards from a reserved forest.*—No person shall kindle any fire, or leave any fire burning, at any place which is at a distance greater than two hundred yards from the boundary of a reserved forest but from which the fire may by natural means spread to the forest, unless he takes precautions, by clearing a fire-path not less than twenty-five feet in width between such place and such boundary, or by employing watchers or otherwise, to prevent the fire from so spreading.

7. *Partial operation of rules in the rainy season.*—Nothing in the rules in this Chapter shall operate during the period commencing on the 15th June and ending on the 31st October.

CHAPTER III.

HUNTING AND SHOOTING, ETC., IN RESERVED AND PROTECTED FORESTS.

[Sections 26 (1) (i), 32 (j) and 76 (d).]

A. General Rules.

8. *Acts prohibited in reserved and protected forests.*—The following acts are prohibited in all reserved and protected forests—

(a) the poisoning of rivers or other waters, the explosion of dynamite or other explosive therein, and the setting of cruives or basket traps for the purpose of killing or catching fish;

- (b) the setting of spring guns, snares or traps ;
- (c) the catching, wounding or killing of—
 - (i) game, other than carnivora, bear or pig, over water, salt-licks, or paths leading directly to water or salt-licks ;
 - (ii) any bird or animal for which a close-time has been prescribed under the Wild Birds and Animals Protection Act, 1912 (VIII of 1912), during the close-time so prescribed ; and
 - (iii) such animals as may from time to time be notified in this behalf by the Conservator of Forests ;
- (d) shooting from a motor car except in the case of small game, and wild dogs and pigs ; and
- (e) shooting after sunset and before sunrise, except in the case of—
 - (i) small game and wild pigs, and
 - (ii) tigers and panthers, from machans over live or killed ties :

Provided that any of the above acts may be done with the written permission of the Conservator of Forests, or, in the case of snares or traps, of the Divisional Forest Officer.

Note (1).—For the purpose of this rule the word “carnivora” includes tiger, panther, wolf hyena and wild dog ; the words “small game” include all game birds and hare ; and “reserved and protected forests” include all roads and tracks within such forests.

Note (2).—Clause (c) (i) of this rule does not apply in respect of Nilgai (*Pertax pictus*) in the Thana, East Khandesh and West Khandesh districts, and elephants in the Kanara and Belgaum districts.

9. *Application of rules 11 to 39.*—The provisions of rules 11 to 17 and 23 to 39 shall apply to all reserved and protected forests in the Kanara, Belgaum and Dharwar districts. The State Government may, by notification in the *Bombay Government Gazette*, apply the provisions of rules 11 to 22 with such modifications as it thinks fit, to any reserved or protected forest in any other district.

10. *Hunting and shooting prohibited in certain areas except under a license.*—No person shall, except under a license granted in this behalf by the Conservator of Forests, hunt or shoot in any reserved or protected forests in the Kanara, Belgaum and Dharwar districts and in such reserved or protected forests in the other districts to which the provisions of rules 11 to 22 have been applied under rule 9.

Explanation.—The term “hunting” used in this Chapter includes tracking for the purpose of discovering the lie of wild animals.

11. *Power to refuse or cancel a license.*—(1) The Conservator of Forests shall have discretion to grant or refuse a license for hunting and shooting.

(2) The Conservator of Forests may, at any time, cancel any license for a breach of any provision of the Act or these rules, whether committed by the licensee or by any of his retainers or followers ; or for any interference with the work of the forest officers on the part of the licensee or of any of his retainers or followers, which in the opinion of the Conservator is unwarranted ; or in the event of fire breaking out in any forest in respect of which the license has been granted.

(3) *Forest official may accompany the camp of any licensee.*—In any case where the Conservator of Forests or the Divisional Forest Officer thinks it advisable, he may direct that a forest guard or other person shall accompany the camp of any licensee hunting and shooting in a forest, with the object of seeing that these rules are not infringed.

12. *License not transferable.*—A license granted under rule 11 shall not be transferable.

13. *License to be produced on demand for inspection.*—Every licensee hunting or shooting in any forest to which rules 11 to 17 apply shall, on demand by any Forest, Police or Revenue officer, produce his license for inspection.

14. *Limitation on putting out ties.*—No licensee shall put out ties at a distance of more than 20 miles from his camp or residence.

Note.—For the purposes of this rule "camp" implies a halt of not less than one night.

15. *Intimation to be given when animals are wounded but not killed.*—When any licensee wounds but fails to kill any animal of the following species, viz., elephant, tiger, panther, bear or bison, he shall forthwith give intimation of such fact either orally or in writing to the nearest round forest officer and shall also send within 24 hours from the time the animal is wounded a report in writing to the Divisional Forest Officer. He shall also notify the fact to the inhabitants of the nearest village.

16. *License to be returned on expiry of period.*—On the expiry of the period of the license, the licensee shall return it to the Conservator of Forests, with an endorsement thereon showing the number and kind, and the horn dimensions in the case of protected animals, or length in the case of carnivora and bear, of all game killed by him.

17. *Privileges of resident hill tribes, etc., not barred.*—Nothing in the rules contained in this Chapter shall be taken to cancel any privileges granted to resident hill tribes unless the Collector by express order wise directs, or to preclude the grant of special permission by the Divisional Forest Officer or the Collector to resident villagers on special occasions.

B. Supplementary Rules for districts other than the Kanara, Belgaum and Dharwar districts.

18. *Period and scope of license.*—(1) Every license issued under rule 11 shall permit the holder only to hunt and shoot, and shall be valid for a period of one year from the date of its grant, in any reserved or protected forest in the circle or portion of circle by the Conservator of which the license has been granted, and to which rules 11 to 22 have been made applicable under rule 9, subject to the condition that before it has effect in any forest division in which the licensee does not reside or exercise any jurisdiction, it must be countersigned by the Divisional Forest Officer.

(2) Notwithstanding anything contained in sub-rule (1) the period of a license to hunt and shoot on the plateau of Matheran and Garbut only shall be limited to one month. The Round Forester, Matheran, may receive the fees mentioned in sub-rule (2) of rule 19 and issue a temporary permit to an applicant for a license pending receipt of the license from the Conservator of Forests, Central Circle.

(3) No licensee shall hunt or shoot more than two males of each species of animals specified in the license. A list of species of such animals shall be prepared for each forest division by the Conservator of Forests.

Note.—This sub-rule does not apply in respect of Nilgai (*Portax pictus*) in the Thana district.

(4) Wounded game may be pursued into the forests of the division adjoining that for which the license is valid or into a forest closed under rule 20.

19. *Fees for licenses.*—(1) The fee for a license shall be Rs. 25 for the Northern Circle and Rs. 50 for the Central Circle.

(2) The fee for a license to hunt and shoot on the plateau of Matheran and Garbut shall be—

(a) Rs. 15 for one month in the case of persons who hold no circle license, and

(b) Rs. 7-8-0 for one month in the case of persons who hold a circle license valid for the Northern or Southern Circle.

Persons holding a circle license for the Central Circle shall not be charged any extra fee or be required to take a special license to hunt and shoot on the above plateau.

(3) Gazetted forest officers travelling on duty are exempted from the payment of fees for licenses.

20. *Closing of forests to hunting and shooting.*—(1) The Conservator of Forests may, on the recommendation of the Divisional Forest Officer and the Collector, declare that any particular forest or part of a forest is wholly closed for a term of years or annually for a specified period.

(2) The Conservator of Forests may also prohibit the taking, wounding or killing of any particular species of animals in any specified tract of forest, with a view to the preservation of such species, but any such order shall be subject to revision by the Commissioner.

(3) A license granted under these rules shall not be valid—

(a) in any forest or part of a forest which has been closed under sub-rule (1) during the period it is closed, and

(b) in the tract of forest specified in an order made under sub-rule (2) in respect of the species of animals specified in such order :

Provided that gazetted officers whose jurisdiction extends to such forests, or persons holding licenses on which the Divisional Forest Officer has endorsed special permission to that effect, may kill pig, tigers and other dangerous or destructive animals in such forests. Such special permission shall not be given for a longer period than one month in any case.

21. *Employment of shikaris.*—A licensee may employ any number of trackers. The Divisional Forest Officer shall have full discretion to prohibit the employment for tracking, stalking, tying up for carnivora, or conducting drives or beats, of any persons other than those to whom permits to act as "shikaris" have been given by him.

22. *Shikar cards to be filled in.*—The licensee shall fill in the shikar card in the printed form which a forest guard may present to him, while he is found hunting or shooting in any forest to which rules 11 to 22 apply.

**C. Supplementary Rules for the Kanara, Belgaum and
Dharwar Districts.**

23. *Division of forest into shooting blocks.*—The forests in each division shall be divided into shooting blocks of convenient size by the Divisional Forest Officer, subject to the approval of the Conservator of Forests.

24. *Closure of forest blocks to hunting and shooting.*—The Conservator of Forests shall determine every year which of the blocks in each of the divisions of his circle, the forests of which have been divided into blocks under rule 23, shall be absolutely closed to the public generally for hunting and shooting, whether for purposes of forest management or for the protection of game. In October of each year, he shall publish, according to forest divisions, a list of the blocks so closed, in the *Bombay Government Gazette*, and copies of the list so published shall be posted up for information of the public in the office of the Conservator of Forests, and in the offices of the Collectors and of Divisional Forest Officers in the districts of Kanara, Belgaum and Dharwar.

25. *Circle and block licenses and the areas for which they are valid.*—Licenses granted under rule 11 shall be of two kinds, namely, circle licenses and block licenses. A circle license shall, subject to the provisions of rule 31, be valid for every forest in the Kanara, Belgaum and Dharwar districts, except blocks which have been closed to the public under rule 24. A block license shall ordinarily be granted for only one block, but may be granted for two blocks if there are surplus blocks available in respect of which no applications for license have been made. The holder of a block license may pursue any wounded game into any adjoining block notwithstanding that he holds no license in respect of such block.

26. *When application for block license may be made.*—An application for a block license shall not be granted unless it is made not more than three months and not less than one month before the date from which the applicant desires to have a license :

Provided that—

(a) in the case of a resident of the Southern Forest Circle as defined in the note to rule 29 such application may be made 15 days before such date, and

(b) a license for a short period not exceeding ten days may be granted as soon as such application is made.

27. *Restrictions on number of sportsmen, retainers and dogs in a party.*—Every application for a license shall state the number of sportsmen intending to hunt or shoot together and every license shall specify the number authorised by it to hunt and shoot. Provided that for the purpose of a block license a party shall be limited to three guns. The Conservator of Forests shall have discretion to limit the number of retainers and the number of dogs that may be taken into the forest.

28. *Period of licenses.*—A circle license shall be valid for a period of one year from the date of its grant. The period of a block license shall be determined by the Conservator of Forests according to the demand for shooting blocks but shall not ordinarily exceed one month.

29. *Licenses permissible for residents and non-residents and fees for such licenses.*—(1) Ordinarily applicants who are not residents of the Southern Forest Circle as defined in note (1) to this rule shall not be granted circle licenses, but must take out licenses for blocks ; but the Conservator of Forests shall have discretion to allot a limited number of circle licenses to non-residents after satisfaction of the local demand for circle licenses, if the number of such licenses falls short in any year of the number which he considers can be granted without objection.

(2) (a) The fee for a circle license shall be Rs. 25 in the case of a resident, and Rs. 50 in the case of a non-resident. The fee for a block license when the holder has no circle license shall be—

Rs. 20 in the case of a resident and Rs. 10 for each additional gun ; and

Rs. 25 in the case of a non-resident and Rs. 15 for each additional gun.

The holder of a circle license, if permitted to reserve a block to himself, shall pay an additional fee of Rs. 10 if he is a resident and Rs. 15 if he is a non-resident.

(b) The Conservator may in his discretion grant licenses to non-gazetted officers living in the forests at the rates fixed for gazetted officers and permanent residents.

(c) Gazetted forest officers travelling on duty are exempted from payment of fees for circle licenses.

Note (1).—The term “resident” comprises—

(i) gazetted civil officers travelling on duty,

(ii) military officers who are permanently stationed at Belgaum, or whose duties require them to travel in the Southern Forest Circle (e.g. a recruiting officer), and

(iii) permanent residents of those talukas in the Belgaum, Dharwar and North Kanara districts in which there are reserved forests.

The term “permanent resident” includes persons who have established a permanent home in the talukas referred to but not those who are living there temporarily.

Note (2).—The term “additional gun” means a person who accompanies a licensee in the block to which he is entitled and uses a gun.

30. *Gun licensees in Kanara and parts of Belgaum and Dharwar districts entitled to free licenses for hunting and shooting.*—Any bona fide resident of the Kanara district, the Khanapur taluka and Chandgad Mahal of the Belgaum district and the Kalgatgi, Shiggaon, Hangal and Hirekerur talukas of the Dharwar district, who has been granted a gun license by the District Magistrate of his district, will be entitled to a free license to hunt and shoot in the reserved forest of his district provided that—

(i) if he is a resident of those areas of reserved forest which have been organized under the block system, he will be entitled to hunt and shoot only in such forest as lies within a radius of three miles from the village in which he resides ; and

(ii) if he is a resident of an area to which the block system has not been applied, he will be entitled to hunt and shoot in any reserved forest in the taluka of his residence, which is not included in a shooting block.

The license will permit the hunting and shooting of only those animals for which the gun possessed by the applicant is considered suitable by the Conservator.

31. *Areas open to circle licensees ; priority given to block licensees in blocks.*—The holder of a circle license may hunt and shoot in any forest which has not been notified as closed under rule 24 : provided that hunting and shooting by the holder of a circle license in any block for which a block license has been issued shall be permitted only when the holder of such block license is not present in the block covered by the block license, and if the holder of the block license arrives in the block specified in the license, the holder of the circle license shall at once stop all hunting and shooting in such block ; if any holder of a circle license wishes to reserve entirely any block for his own sport, he must take a block license for such block.

32. *Limitation of game to be killed ; restrictions on employment of shikaris.*—Every license shall have entered on it the number and kind of game which may be killed. § With the exception of carnivora, bear and pig, only a limited number of game shall be allowed to be killed in any shooting block in any one year. When this limit is reached the block shall, subject to the exception permitted by rule 37, be closed to shooting for the remainder of the season. The Conservator of Forests shall have full discretion (1) to prohibit driving or beating the forest with men or dogs in any specified block for any animals other than carnivora, bear and pig, and (2) to prohibit the employment for tracking, stalking, tying up for carnivora, or conducting drives or beats, of any persons other than those to whom permits to act as "Shikaris" have been given by the Divisional Forest Officer, subject to the Conservator's approval.

33. *The Divisional Forest Officer and Conservator to fix the limit of game that may be killed in each block and by each individual.*—(a) The Divisional Forest Officer, subject to the approval of the Conservator of Forests, shall, before October in each year, fix the limit of game of each species which may be allowed to be killed in each block during the year (November-October) under the last preceding rule.

(b) The Conservator of Forests shall similarly, before October in each year, determine the number of game of each species which may be killed by any individual during the year (November-October) in any of the forests of the circle :

Provided that the limit of game allowed to be killed may be exceeded with the written permission of the Conservator in particular instances.

34. *Circle licensees to report game killed.*—When any holder of a circle license kills any animal of the following species namely elephant, bison, sambhar, cheetal, tiger, panther, bear, wild dog, pig or barking deer, he shall report in writing to the Divisional Forest Officer, within three days of shooting, the species, sex and, except in the case of pig, wild dog and barking deer, measurements of the animal shot, together with the date, time and place and method of shooting the animal, i.e. whether by stalking, beating, sitting over a kill or live tie or by any other method :

Provided that the licensee may, instead of sending such report to the Divisional Forest Officer, send within the time specified above a shikar card in the printed form duly filled in or a report giving all the particulars to the nearest forest officer within whose jurisdiction the shooting has been done.

35. *Maintenance of game books.*—In each divisional and range forest office game books shall be kept in the form in Schedule A hereto annexed, showing the number of protected animals allowed to be killed, and the number of game of every kind killed up to date.

36. *Notice to be given by licensees before entering forests.*—No holder of a block license shall enter any forest or block without giving at least twenty-four hours previous notice to a local forest officer. A holder of a circle license shall, as far as possible, also give similar notice but, if, for any reason he is unable to do so, he shall notify his presence to such officer within twelve hours of his entry in the forest or block, as the case may be.

37. *Block licensee may exceed limit of game for the block subject to certain conditions.*—A holder of a block license may exceed the limit fixed for the block covered by his license, provided he does not kill more than the number permitted by his license to be

killed by him of any kind of protected animal. Any excess over the limit fixed for the block that may be caused by any holder of a block license killing up to the full number of game permitted to be killed by his license shall be considered by the Divisional Forest Officer in determining the number of game that may be allowed to be killed in such block during the succeeding year.

38. *Animals killed in contravention of rule 8 (c) to be counted against aggregate number allowed by rule 33 (b).*—If any animal is wounded or killed by any licensee in contravention of the provisions of rule 8 (c), such animal shall be counted in the aggregate number of animals of the same species permitted to be killed by the licensee under rule 33 (b) without prejudice to any action that may be taken against him under rule 11.

39. *Regulation of fishing and netting in rivers.*—It shall be in the discretion of the Conservator or of the Divisional Forest Officer subject to the Conservator's approval, to prohibit from time to time fishing and netting in any specified lengths of any rivers, except on issue of a license in the case of individuals, or of a general sanction to the residents of any village or villages, to fish and net in the portion so specified, and the Conservator may also from time to time regulate by notification in each forest division concerned the size of mesh that may be employed in netting rivers for the capture of fish.

CHAPTER IV.

PASTURING OF CATTLE IN RESERVED AND PROTECTED FORESTS.

• [Sections 26 (1) (d), 26 (2) (a), 32 (i) and 76 (d).]

40. *Pasturing of cattle in forests prohibited except in areas specially assigned and except under a permit.*—No person shall pasture cattle in a reserved or protected forest—

(a) except within the areas assigned for such purpose by, or under the orders of the Commissioner or the Conservator of Forests, and

(b) without obtaining a permit from a Revenue or Forest Officer which shall be granted on payment of the fee prescribed by the State Government and except in accordance with the conditions subject to which such permit has been granted.

CHAPTER V.

CUTTING OF TREES, CULTIVATION, ETC., IN PROTECTED FORESTS.

[Sections 32 and 76 (d).]

A.—Kanara District.

41. *Kanara Protected Forest Rules.*—The following rules 42 to 45 inclusive apply to the protected forests in the district of Kanara.

42. *Privileges open to occupants of spice gardens and their tenants in protected forests assigned to them as bettas.*—(1) Occupants of spice gardens and tenants holding under such occupants may exercise in the protected forests assigned as *betta* to the gardens or group of gardens of which they are the occupants or tenants, the following privileges:—

(a) They may graze their own cattle.

(b) They may cut grass for their own use.

(c) For the purpose of building cattle-sheds or temporary huts, sinking wells, digging water channels, clearing paths, erecting threshing floors or sugarcane mills, storing grass, straw grain, betelnuts, manure, or growing young plants in a nursery they may, subject to the restrictions hereinafter mentioned, clear or break up the land assigned as *betta*.

(d) They may burn undergrowth and lantana, due care being taken to prevent the fire spreading to reserved forests.

(e) They may remove for their own use, but not for manufacture, sale or barter, clay, earth and stones.

(f) Subject to the restrictions hereinafter mentioned, they may remove for their own use, but not for manufacture, sale or barter, any kind of forest produce in the said *betta*. These restrictions are:—

They shall not—

(i) lop or in any way injure any trees or saplings of the following species :—
teak, sandalwood, blackwood and ebony ;

(ii) except with the previous permission of the Mamlatdar, fell any living trees of the species mentioned in Schedule B hereto annexed.

(2) Any occupant of a garden who requires, for his own use, for a *bona fide* agricultural purpose, or for the construction and repair of his house situated in or adjacent to the garden to which the *betta* is assigned, any tree of the kinds mentioned in Schedule B, must apply in writing to the Mamlatdar, who shall, if satisfied that the demand is reasonable, grant permission to cut and remove the trees required on payment of one rupee per tree.

(3) Any occupant of a garden or group of gardens to which the *betta* is assigned may, with the previous permission in writing of the Mamlatdar, cut within the *betta* assigned, trees of the kinds mentioned in Schedule B, free of royalty, if such trees—

(i) come in the way of any cultivated crops ;

(ii) obstruct any water course ;

(iii) overhang any buildings ; or

(iv) come in the way of any approach road passing through the *betta* assigned.

43. *Suspension of privileges when abused.*—Whenever the Collector is of opinion that the privileges conferred by rule 42 have been or are being abused, to such an extent as to justify the suspension of such privileges, he may, subject to the general control of the Commissioner, suspend the exercise of all or any of the said privileges by any or all of the occupants or tenants of any garden or group of gardens or by their servants ; or may permit their exercise on payment of such fees as he may deem reasonable.

44. *Occupants of gardens and their tenants bound to preserve reserved trees in bettas and to report any damage to or loss of such trees.*—Every such occupant and tenant shall preserve all teak, blackwood, sandalwood and ebony trees and saplings thereof growing in the protected forests assigned as *betta* to the garden or group of gardens of which he is the occupant or tenant, and shall forthwith report to the nearest local Revenue or Forest officer any damage to, or loss of, any such tree or sapling, from any cause whatever.

45. *Occupants of gardens and their tenants not to permit or abet the cutting, etc., of reserved trees in bettas.*—No such occupant or tenant shall knowingly or wilfully permit or abet the cutting, lopping, injuring, appropriating or removing of any such tree or sapling by any other person.

B.—Thana, Kolaba and Nasik Districts.

46. *Rules for protected forests of Thana, Kolaba and Peint.*—The following rules 47 to 50 inclusive apply to the protected forests in the Thana and Kolaba districts and the Peint taluka of the Nasik district. Rule 51 applies to the protected forests in the Thana and Kolaba districts only.

47. *Definitions.*—In rules 48 to 51—

(a) the word “tree” includes all ground shoots which grow into trees, such as *kuda*, *kuli*, *pethari* and *chera*, but does not include bushes; and the word “bush” shall be deemed to include all ground shoots which do not grow into trees such as *kervand*, *ukshi*, *phangli*, *dhanti* and *nirgudi*;

(b) the word “injaili” refers to trees excluding those of the kinds mentioned against the district or taluka concerned in clause (a) of Schedule C hereto annexed;

(c) the word “cultivator” includes—

(i) all persons who personally cultivate the soil, whether as tenants or in their own right;

(ii) all landlords resident in a village and holding land therein, whether they cultivate the soil personally or through tenants;

but does not include non-resident landlords.

48. *No forest produce may be removed from protected forest except by cultivators.*—No forest produce shall be removed from a plot assigned for cultivation in a protected forest or from any trees in such plot except by the authorised cultivator of such plot; and no forest produce shall be removed from any protected forest in a village or from any trees in such protected forest except by a cultivator of that village.

49. *Cutting etc. of trees prohibited save as provided in these rules.*—Save as provided in rules 50 and 51 no person shall in any protected forest cut down, pollard, or lop any tree whatever.

50. *Cultivators may cut down, lop or pollard certain injaili trees subject to restrictions.*—In the protected forest of any village a cultivator of that village may cut down, lop or pollard for his own use any injaili trees other than the fruit trees mentioned against the district or taluka concerned in clause (b) of Schedule C hereto annexed in accordance with the following conditions but not otherwise:—

(a) in the case of injaili trees 10* feet high or higher—

(i) the leading shoot must be permanently preserved along with all shoots from the topmost third of the main stem;

(ii) shoots that have taken less than two years to grow may not be touched; only shoots that have taken two years or more to grow may be lopped off;

(b) in the case of injaili trees less than 10 feet high—

(i) where several stems spring from the same root or stump the best of such stems with all shoots from it shall be left untouched till the stem is 10 feet high, but all other shoots from the root or stump or from the ground within a yard of the untouched stem may be cut down to the ground;

* This should be translated in Marathi “1½ purush”, a purush being the height to which an average man can reach standing.

(ii) no stem growing singly may be cut or its side shoots lopped, unless it has an untouched stem growing within a yard† of it.

Provided that with the previous permission of a revenue officer not lower in rank than a Mamlatdar in the case of protected forests of the districts of Thana and Kolaba, and of a forest officer not lower in rank than a Range Forest officer in the case of protected forests of the Peint taluka of the Nasik district, such cultivator may cut down for his own use—

(a) any injaili tree not useful for tahal or fruit ; and

(b) any fruit tree and any leading shoot or best stem referred to in clause (a) (i) and clause (v) (i) of the conditions mentioned above when in the opinion of such officer such tree, shoot or stem is no longer useful for fruit or tahal.

51. *Trees other than injaili may be cut with permission.*—(1) In the protected forest of any village in the districts of Thana and Kolaba a cultivator of that village may, with the previous permission of a revenue officer not inferior in rank to an Assistant Collector or Deputy Collector, cut down for his own use any tree other than an injaili tree.

(2) The Collector or Prant officer may, by written order delivered to the patel, authorise the cultivators of a village to cut down the after-growth of teak, blackwood and *tivas* trees, subject to the condition that two leading shoots from each stump with all their branches are left permanently untouched, and may at any time modify such order by withdrawing such authority either from particular cultivators or from all the cultivators or in respect of particular areas.

C.—Ahmednagar District.

52. *Rules for protected forests of certain villages in Akola taluka.*—The following rules 53 to 65 apply to the protected forest in the following villages of the Akola taluka of the district of Ahmednagar, namely:—

- | | |
|------------------|----------------------|
| (1) Ambit. | (6) Panjre. |
| (2) Ghatghar. | (7) Samrad. |
| (3) Kumshet. | (8) Shinganwadi. |
| (4) Laval Kotul. | (9) Shirpunje khurd. |
| (5) Pachnai. | (10) Udadawane. |

53. *Lands of certain description may be cleared for cultivation.*—Lands of either of the two following descriptions may be cleared or broken up for cultivation in the said forest subject to the conditions, if any, respectively applicable thereto, viz.:—

(a) land the right to cultivate which has been recorded in an enquiry under section 29, or

(b) land let for cultivation under a lease which is at the time in force and has been granted under these rules.

54. *Unoccupied assessed land may be let out to resident villagers.*—The unoccupied land in the said forest suitable for cultivation having been divided off by the Survey Department, under the orders of the State Government, into fields which bear distinctive numbers and having been measured and assessed by the said Department at

† This should be translated in Marathi "1½ hat".

a moderate rent, any of the said fields (hereinafter called "numbers") may be let at the rent so assessed to any person who is, and has been for not less than five years previously, a resident of the village in which the number is situate, subject to the conditions contained in these rules.

55. *Lands may be leased by public auction.*—The Divisional Forest Officer may, in his discretion, lease any field on payment of a premium or after holding a public auction.

56. *Lease and counterpart agreement to be executed in each case.*—Every lease granted under these rules shall be in the form in Schedule D, hereto annexed, and shall be executed by such officer as is authorised under the rules in force in this behalf to execute such an instrument. No such lease shall be granted until the intending lessee has executed a counterpart agreement in the form in Schedule E, hereto annexed, bearing an endorsement of the tenor prescribed in the said form signed by the village officers.

57. *Period of lease to be prescribed by State Government.*—Leases shall be granted for such term of years as the State Government may prescribe from time to time.

58. *Rent to be paid in two instalments.*—The rent due in respect of lands leased under these rules shall be payable in two equal instalments on the 10th December and 10th January, respectively.

59. *Renewal of leases.*—On the expiry of the term of any lease granted under these rules, the lessee shall be entitled to a renewal of the lease for such term and subject to such conditions and the payment of such rent as the State Government shall think fit to prescribe.

60. *Cancellation of leases.*—Every lease granted or renewed under these rules may at any time be cancelled by the Divisional Forest Officer or the Conservator of Forests—

(a) if the lessee or any co-sharer of the land held by the lessee is convicted of any offence under section 33 and such conviction is not subsequently reversed or quashed ; or

(b) if the land included in the lease or any portion of it is subjected, without the previous sanction of the Divisional Forest Officer or of the Conservator of Forests, to any mortgage charge, sub-lease or alienation ; or

(c) if the land included in the lease or any portion of it is subjected to *dalhi* cultivation ; or

(d) if any instalment of rent due in respect of the land is not paid, or recovered under section 82, before the close of the revenue year in which it is payable ; or

(e) if the lessee ceases to be a resident of the village in which the land is situate.

When a lease is cancelled under this rule, it shall be deemed for the purposes of Rule 53 to cease to be in force from such date as shall be fixed in this behalf by the officer cancelling the same.

61. *Appeals.*—An appeal shall lie from any order made by the Divisional Forest Officer under the last preceding rule to the Conservator of Forests. The order of the Conservator of Forests shall be final.

62. *Lessees may be granted concessions to remove forest produce from leased lands.*—No lease granted under these rules shall be deemed to confer upon the lessee any right in or over the trees or other forest produce of the land included in such lease ; but subject to a reservation of the right of the State Government at any time to withdraw such concession and to the provisions of Rule 63, the lessee of any land may upon or from the said land—

(a) lop trees, not being trees which are reserved under section 30, for the purpose of obtaining *rab* for manure ;

(b) with the written authority of the Divisional Forest Officer cut and remove trees, not being trees reserved, as aforesaid and not exceeding 15 inches in circumference at the base, which, in the opinion of the said officer, impede cultivation ;

(c) pasture and cut and remove grass for his own cattle, sheep and goats ;

(d) gather and remove edible fruits and roots ;

(e) gather and remove dead wood for fuel ;

(f) quarry or gather and remove stones for his own use for any agricultural or domestic purpose.

63. *Precautions to be taken while lopping trees.*—Lessees exercising the privilege of lopping trees for obtaining *rab* granted by clause (a) of the last preceding rule, shall leave uncut a main leading shoot (*shenda*) of each tree which they so lop.

64. *Privileges to be exercised in unoccupied fields by resident villagers.*—Any person permanently residing in any of the said villages may, in any unoccupied field of the protected forest in the village in which he resides, pasture, or cut and remove grass for his own cattle, sheep and goats without license or payment of any fee.

The State Government may at any time withdraw this concession.

65. *Restrictions on pasturing of cattle or removal of grass.*—Except as provided in Rule 62 and in the last preceding rule, no cattle, sheep or goats may be pastured and no grass may be cut in a protected forest without written authority from the Divisional Forest Officer.

CHAPTER VI.

TRANSIT OF FOREST PRODUCE.

[Section 41.]

A.—Forest Passes.

66. *Regulation of transit of forest-produce by means of passes.*—No forest-produce shall be moved into, or from, or within any district of the State of Bombay, except as hereinafter provided, without a pass from some officer or person duly authorised by or under these rules to issue such pass, or otherwise than in accordance with the conditions of such pass or by any route or to any destination other than the route or destination specified in such pass :

Provided that no pass shall be required for the removal—

(a) except to a bunder, landing place or railway station—

(i) of any forest-produce which is being removed for private consumption by any person in exercise of a privilege granted in this behalf by the State Government, or of a right recognized under the Act, within the limits of a village as defined in the Bombay Land Revenue Code, 1879, in which it is produced,

(ii) of twigs, leaves, brushwood and grass intended solely for conversion into ash-manure,

(iii) of such small branches as are given gratis from departmental cuttings solely for private consumption,

(b) of firewood not exceeding three inches in diameter at the thickest part, grass or leaves, the property of one person or the joint property of two or more persons, which is conveyed in quantities not exceeding one headload once in 24 hours unless it be brought to a bunder, landing place or railway station or to any areas to which the State Government may from time to time declare by notification in the *Bombay Government Gazette* that this exemption shall not extend, or

(c) of such forest-produce as may be exempted by the State Government from the operation of the rules in this Chapter by notification in the *Bombay Government Gazette*.

67. *Officers and persons to issue passes.*—(1) The following officers and persons shall have power to issue passes under these rules (namely) :—

Officers.

(a) for forest-produce from land which is not included in a reserved or protected forest and is more than ten miles distant from a reserved or protected forest, the revenue patel, or the police patel of the village if the revenue patel is illiterate, or village accountant, and

(b) for forest-produce from land other than that described in clause (a), the Conservator of Forests, the Divisional Forest Officer, the Sub-Divisional Forest Officer or any other officer including a revenue patel or police patel or village accountant, authorised in this behalf in writing by the Conservator of Forests, Divisional Forest Officer or Sub-Divisional Forest Officer ;

Other persons.

(c) for forest-produce owned by any person, such person or his agent, if so authorised in writing by the Conservator of Forests, or by any Divisional Forest Officer or Sub-Divisional Forest Officer specially empowered in this behalf in writing by the Conservator of Forests ; provided that such authorization shall specify the period during which it shall remain in force :

Provided that the Conservator of Forests may, in consultation with the Commissioner of Excise, require that for mhowra flowers to be removed from any specified area passes shall be issued only by the local Excise officer not below the rank of a Sub-Inspector.

(2) Any authorization may at any time be cancelled by the officer granting it.

68. *Passes what to contain.*—(1) Every forest pass issued under rule 67 shall specify :—

- (a) the name of the person to whom such pass is granted ;
- (b) the quantity and description of forest-produce covered by it ;
- (c) in the case of forest-produce referred to in clause (a) of sub-rule (1) of rule 67, the name of the village and survey number in which it was produced ;
- (d) the places from and to which such forest-produce is to be conveyed ;
- (e) the route by which such forest-produce is to be conveyed ; and

(f) the period of time for which the pass is to be in force, which shall be calculated as follows :—The day of issue *plus* in the case of transport by a motor vehicle, a day for transit to any point up to 80 miles from the village of origin *plus* an additional day for every additional 80 miles or fraction thereof, and, in the case of any other form of transport, a day for transit to any point up to 15 miles from the village of origin *plus* an additional day for every additional 15 miles or fraction thereof.

(2) The colour and form of each pass and the sum to be paid in respect of each book of forest passes will be such as may be prescribed by the Chief Conservator of Forests, with the previous sanction of the State Government.

69. *Separate pass for each load.*—No forest pass shall ordinarily cover more than one load, whether such load be carried by a person, an animal or in a vehicle. But the Divisional Forest Officer, subject to the control of the Conservator of Forests, may, whenever he deems fit, order that one pass may cover any number of headloads or animal loads not exceeding 50 and any number of cart loads not exceeding 10 for journeys not exceeding 15 miles from and to the same places and undertaken at one and the same time.

70. *Pass not to be tampered with.*—No alteration shall be made in anything printed or written on any forest pass, except in the matter of route and period and this may only be done by an authorised officer for sufficient reason to be mentioned in the pass.

B.—Passes issued by private persons.

71. *Books of blank passes to be supplied to persons authorised to issue them.*—

(1) When the Conservator of Forests or any duly empowered Divisional Forest Officer authorises any person or the agent of any person under clause (c) of sub-rule (1) of rule 67 to issue forest passes, he shall furnish such person from time to time with authenticated books of blank passes.

(2) The said person to whom such book is supplied shall pay the sum, if any, fixed under rule 68 (2).

(3) No person who has been authorised to issue passes shall issue passes *otherwise* than in accordance with the conditions of his authorization.

(4) No such person shall charge any fee for any pass issued.

(5) *Counterfoils of used passes to be returned.*—The counterfoils of all used passes shall be returned to the officer from whom the book of passes was received and no fresh pass-book shall be supplied until the counterfoils of all passes previously used have been so returned.

(6) *Counterfoils to be produced for inspection on demand.*—Any person or the agent of any person who has been authorised to issue forest passes under clause (c) of sub-rule (1) of rule 67 shall be bound if called upon by any forest-officer to produce for inspection or to give up the counterfoils of all passes which have been issued by such person or agent.

(7) *Procedure on cancellation or expiry of authority to issue passes.*—In the event of any authority given under clause (c) of sub-rule (1) of rule 67 being at any time cancelled under sub-rule (2) of the said rule or on the expiry of the period specified in such authority, the person whose authority is so cancelled or the person, the period

of whose authority has so expired, as the case may be, shall forthwith return to the officer who gave the authority every unused book of forest passes and the unused portion of any such book in his possession, together with the counterfoils of used passes, if any, which he has not already returned, and the said person shall be entitled when he has returned all such unused books or portions thereof and the counterfoils of used passes as aforesaid, to receive a refund of the amount paid by him in respect of every such unused book but no refund shall be allowed in respect of any portion of such book.

(8) *Forest passes issued by private persons when invalid.*—No forest pass issued by any person or by the agent of any person authorised under clause (c) of sub-rule (1) of rule 67 to issue forest passes shall have any validity,

(a) if such pass is not prepared on a blank form supplied for this purpose under sub-rule (1) of rule 71, or

(b) if the same is issued after receipt by such person of an order cancelling the authority to issue such passes, or

(c) if the same is issued by such person after the expiry of the period specified in the authority given for the issue of such passes.

C.—Forest-produce imported otherwise than by sea.

72. *Foreign pass.*—All forest-produce imported into the State of Bombay otherwise than by sea shall be covered by a foreign pass registered under rule 73, and, in the case of timber exceeding the dimensions mentioned in rule 82 and of scented sandalwood, bear a foreign property mark registered under rule 73.

73. *Form, etc., of foreign passes must be registered in Conservator's office.*—Every foreign pass must be in a form which, and must be signed by an official whose designation, have been registered in the office of the Conservator of Forests of the Circle into which it is sought to import forest produce thereunder, and every foreign property mark must be of a description which has been registered in the said office.

Provided that, at the request of any Part B State, the forest-produce from such State may be allowed to be imported into the State of Bombay—

(i) if the import of such forest-produce is covered by a foreign pass signed by a contractor or his agent whose specimen signature shall have been registered in the office of the Divisional Forest Officer in charge of the Division in which the forest-produce is sought to be imported, and

(ii) if the office stamp of the official of the Part B State, who shall have been authorised by the Part B State to issue books of foreign passes to contractors for the export of forest-produce to a Part A State shall have been affixed to or imprinted on the pass under which the forest-produce is sought to be imported.

74. *Divisional Forest Officer may refuse to register signature.*—In cases under the proviso to rule 73, the Divisional Forest Officer may, for reasons to be recorded in writing, refuse to register the specimen signature of any contractor or his agent.

75. *Imported forest-produce may be conveyed to first depot without a pass under rule 67.*—Any forest-produce which is imported otherwise than by sea may be conveyed within the limits of the State of Bombay as far as the first depot established

under rule 78 without a pass issued under rule 67, if it is covered by a foreign pass registered under rule 73, and if stacked or deposited in any place between such limits and such depot the foreign pass covering the material shall at once be delivered at that depot.

76. *Conservator may direct use of a transit mark for imported timber.*—If the Conservator of Forests shall so direct, no timber exceeding the dimensions mentioned in rule 82 and no scented sandalwood which has been imported as aforesaid shall be moved beyond such first depot, without first having stamped upon it a Government transit mark of such description as the Conservator shall prescribe.

D.—Saving of recognised privileges.

77. *Saving of recognized privileges.*—Nothing in rules 66 to 76 inclusive shall be deemed to require or to have required the possession of a pass in cases where exemptions from such possession for enjoyment of certain privileges recognised by the State Government have been granted before the passing of these rules.

E.—Forest Depots.

78. *Depots and their purposes.*—The Conservator of Forests may establish at such places as he shall think fit, depots to which forest-produce shall be taken—

(a) for examination previous to the grant of a pass in respect thereof under these rules ; or

(b) for determining the amount of money, if any, payable on account thereof to Government ; and for the payment of any money so found to be due ; or

(c) in order that any mark required by law or by these rules to be affixed thereto, may be so affixed.

79. *Situation of depots to be published.*—The Conservator of Forests shall make known from time to time by notification in the *Bombay Government Gazette*, and locally in such manner as he deems fit, the name and situation of each depot in his Circle.

80. *Depot to be in charge of an officer.*—Each depot shall be in charge of an officer appointed by or under the orders of the Conservator of Forests without whose permission no forest-produce shall be brought into, stored at, or removed from the depot.

81. *Vessels conveying forest produce by river to call at depot on banks.*—The person in charge of any vessel which carries forest-produce on a river, on the banks of which one or more depots established under these rules are situated, shall call and stop his vessel at every such depot which he has to pass, in order that the forest-produce may be examined, if necessary, under the provisions of rule 85 and the person in charge of such vessel shall not proceed with such vessel past any such depot without the permission of the forest officer in charge of such depot.

F.—Property and Transit Marks.

82. *Property and transit marks to be affixed to timber exceeding a certain size.*—Except when it is the property of Government, timber exceeding 9 inches in girth at the thickest part and 6 feet in length and scented sandalwood of any dimensions shall not be moved from or within any district of the State of Bombay unless it bears a distinguishable private property mark of the owner of such timber of a description which has been registered in the office of the Conservator of Forests of the Circle or of the Divisional Forest Officer, and also if the Conservator so directs unless it bears a Government transit mark of such description as shall from time to time be prescribed in this behalf by the said Conservator.

83. *Registration of forms of passes or marks.*—The Conservator of Forests or the Divisional Forests Officer shall upon receipt of an application for registration of any form or mark for the purpose of rule 73 or rule 82 enquire into the authenticity of the same, and if he sees no objection, shall on payment by the applicant of such fee as shall from time to time be prescribed by the State Government in this behalf, register such form or mark in his office. Every such registration shall hold good for a period of one year only, except in the case of forms and marks of Governments of Part B States or of foreign Governments, the registration of which shall hold good till they are modified or replaced by new forms or marks.

84. *Government marks not to be imitated or effaced.*—No person other than a forest officer whose duty it is to use such marks shall use any property mark for timber identical with, or nearly resembling, any Government transit mark, or any mark with which timber belonging to Government is marked; and no person shall, while any timber is in transit under a pass issued by any person or by the agent of any person authorised in this behalf under clause (c) of sub-rule (1) of rule 67 alter or efface any mark on the same.

G.—Stoppage in transit.

85. *Forest-produce in transit may be stopped and examined by certain officers.*—(1) Forest-produce in transit may be stopped and examined at any place by any forest, police or revenue officer if such officer shall have reasonable grounds for suspecting that any money which is due to Government in respect thereof has not been paid, or that any forest offence has been or is being committed in respect thereof:

Provided always that no such officer shall vexatiously or unnecessarily delay the transit of any forest-produce which is lawfully in transit, nor vexatiously or unnecessarily unload any such forest-produce, or cause the same to be unloaded, for the purpose of examination.

(2) The person in charge of such forest-produce shall furnish to any such officer all the information which he is able to give regarding the same, and if he is removing the same under a pass shall produce such pass, on demand, for the inspection of such officer, and shall not in any way prevent or resist the stoppage or examination of the said forest-produce by such officer.

H.—Obstruction of channels.

86. *Prohibition of the obstruction of channels or banks of rivers.*—No person shall close up or obstruct the channel or any portion of the bank of any river lawfully used for the transit of forest produce, or throw grass, brushwood, branches or leaves into any such river, or do any other act which may cause such river to be closed or obstructed.

87. *Measures to be taken for removal of obstructions.*—(1) Any forest officer not lower in rank than an Assistant Conservator of Forests, may take such measures as he shall at any time deem to be emergently necessary for the prevention or removal of any obstruction of the channel, or of any part of a bank of a river lawfully used for the transit of forest-produce; but any such case which is not emergent shall be reported to the Collector, who may by written notice require the person whose act or negligence has caused or is likely to cause the obstruction, to remove or take steps for preventing the same within a period to be named in such notice, and, if such person fails to comply with such notice, may himself cause such measures to be taken as he shall deem necessary.

(2) The cost reasonably incurred by a forest officer or by the Collector under this rule shall be payable to the State Government by the person whose act or negligence has necessitated the same.

I.—Conversion of timber within one mile of forests.

88. *Prohibiting conversion of timber.*—Within the limits of any reserved or protected forests in charge of the Forest Department and—

(i) within one mile of such limits, no person shall establish a saw-pit for the cutting, converting or fashioning of timber or manufacture of charcoal, without the previous sanction in writing of a Forest Officer not lower in rank than a Range Forest Officer ; and

(ii) within five miles of such limits no person shall erect any machinery or other plant for cutting, converting and fashioning of timber without the previous sanction, in writing, of a Forest Officer not lower in rank than a Divisional Forest Officer, who may, while granting such permission, impose suitable conditions for safeguarding Government interests.

When an applicant does not receive, within one month, a definite reply from the Range Forest Officer to his written request to establish a saw-pit, he may start the work forthwith, provided that this will not absolve him from liability to proceedings, if it is found that any timber is the property of Government.

In the case of erection of machinery or other plant for cutting, converting and fashioning of timber, the applicant shall not start erection of the machinery or plant unless the sanction of the Divisional Forest Officer concerned is received by him in writing.

Explanation.—This rule does not apply to the ordinary operations of domestic carpentry or to other similar work on a small scale.

J.—Exclusion of local areas from applicability of rules.

89. *Local areas to which the rules are not applicable to be published.*—The State Government may by notification in the *Bombay Government Gazette* exempt from the operation of the rules contained in this Chapter any local area specified in such notification.

CHAPTER VII.

TREES IN OCCUPIED LANDS.

[Sections 41 and 76.]

A.—Preservation, protection and exploitation of reserved and other trees in occupied lands.

90. *Reserved trees.*—The expression “reserved trees” in this Chapter shall include teak, blackwood, sandalwood, and other trees or their aftergrowth, the right of Government to which has been reserved under the provisions of the Bombay Land Revenue Code, 1879 or rules made thereunder.

91. *Cutting etc. of reserved trees in occupied lands prohibited except when permitted.*—No person shall cut, lop, or in any way injure, appropriate or remove any reserved tree, or any loppings thereof, which is grown or growing on lands belonging to or in the occupation of private persons ; or knowingly or wilfully permit or abet the cutting, lopping, injuring, appropriating or removing of the same by any other person, without having first obtained permission in accordance with the rules in this Chapter.

92. *Purchasers of reserved trees not to be obstructed in cutting and removing them.*—(1) No person shall obstruct any purchaser, lessee or other transferee of the trees mentioned in rule 91, in cutting, lopping, injuring, appropriating or removing such trees when the cutting, lopping, injuring or removing of such trees is done by the purchaser, lessee or transferee or any person acting on his behalf with the previous permission of the Collector or the Conservator of Forests.

(2) *Collector and other officers may assist purchasers in cutting and removing reserved trees.*—It shall be lawful for the Collector, any Forest officer or Police officer to render assistance to a purchaser, lessee or other transferee of such trees or any person acting on his behalf in the cutting, lopping, injuring, appropriating or removing of the same.

93. *Occupants responsible for preservation of reserved trees.*—Every occupant or holder of land shall be responsible for the due preservation of all reserved trees growing on the land and shall, in the event of an injury to any such tree from whatever cause, as soon as possible report such fact to the nearest local Revenue or Forest officer.

94. *Royalty to be paid before cutting or removal of reserved trees and permission required for cutting, etc., of sandalwood and certain other timber.*—(1) No person shall—

(a) cut or remove reserved trees without paying the royalty prescribed by the State Government or value thereof and without obtaining a receipt for such payment passed by a Forest officer empowered by the Conservator of Forests in this behalf, or

(b) without obtaining permission from the Divisional Forest Officer, the grant of which shall be subject to such conditions as the State Government may from time to time prescribe.

(i) cut or uproot reserved trees or remove timber obtained from reserved or unreserved trees, of the species mentioned in column 2 of the Schedule F hereto annexed in or from the districts or parts of districts mentioned against them in column 3 of the said Schedule,

or

(ii) cut or mark timber obtained from reserved or unreserved sandalwood trees or convert the same into powder or oil or in any other manner.

(2) Nothing contained in sub-rule (1) shall be deemed in any way to modify or cancel any order regarding reservation of trees made under the provisions of the Bombay Land Revenue Code, 1879, or of the Land Revenue Rules, 1921.

95. *Mode of application for permission to cut and remove trees or timber.*—Every person seeking to obtain permission for cutting or uprooting any trees or removing any timber referred to in rule 94 shall apply in writing to the Divisional Forest Officer. Every such application shall clearly specify the survey numbers, the names of the villages, the name of the taluka and the number and kinds of trees sought to be cut or uprooted or the kind and quantity of the timber sought to be removed from each survey number. In case the survey numbers containing the trees or timber are held by a number of persons, a joint application shall be made by all the occupants if however one of the occupants applies for permission, the written consent of the remaining occupants to allow the applicant to cut or uproot the trees or remove the timber shall be appended to the application.

96. *Enquiries to be made by the Divisional Forest Officer and grant of permission.*—On receipt of an application under rule 95, the Divisional Forest Officer shall make such enquiry as he deems necessary regarding the title of the applicant to the trees or timber, and on the conclusion of such enquiry he shall, unless there is any reason to the contrary and subject to any limitations or conditions prescribed under rule 94 by the State Government in this behalf, give the permission in writing applied for:

Provided that in the case of reserved trees the prescribed royalty or value thereof shall be recovered before such permission is granted.

Provided further that permission to cut aftergrowth of teak in Varkas lands in the Thana district, the right to which vests in Government, shall not be given unless the trees sought to be cut are required for the genuine agricultural or domestic needs of the applicants or for the benefit of the villagers generally and are not required for sale or barter.

97. *Conditions of the permission to be observed by the applicant.*—Every applicant shall be bound by the conditions contained in the permission granted under rule 96. Such permission shall specify *inter alia* the name of the officer to whom the permit is to be shown by the applicant prior to the cutting or uprooting of the trees or removal of the timber and the period within which the trees are to be cut or uprooted or the timber is to be removed.

98. *Cutting, etc., to be done after marking.*—On receipt of the permission the applicant shall take it to the officer named therein and shall cut or uproot the trees or remove the timber after they have been marked by that officer with such mark as may be prescribed for the purpose by the Conservator of Forests.

99. *Transit rules in Chapter VI to apply in the matter of removal and conversion.*—The rules in Chapter VI shall apply in the matter of removal and conversion of the timber referred to in this Chapter. The following supplementary rules 100 to 104 shall apply in addition in regard to the conversion and marking of all sandalwood timber referred to in clause (b) (ii) of rule 94 (1), and rules 105 to 108 shall apply in regard to the conversion of timber obtained from other trees referred to in rule 94.

B.—Conversion and marking of sandalwood.

100. *Mode of application for permission for conversion or marking of sandalwood.*—An application for the grant of permission for conversion or marking of sandalwood timber under clause (b) (ii) of rule 94 (1) shall clearly show the source from which the sandalwood timber has been derived and shall be accompanied by documents proving the applicant's title to the same.

101. *Enquiry to be made by the Divisional Forest Officer.*—On receipt of an application under rule 100, the Divisional Forest Officer, after making such enquiries as he deems necessary, regarding the applicant's title to the sandalwood timber, shall, on the conclusion of such enquiries, issue the necessary permission if the timber is found to belong to the applicant.

102. *Conditions to be observed by the applicant.*—The applicant shall be bound by the conditions contained in the permit under rule 101. Such permit shall specify *inter alia* the name of the place or places where and the period within which the conversion of sandalwood shall be carried out.

103. *Private property marks to be registered by dealers in sandalwood.*—Dealers in sandalwood who wish to sell the wood wholesale or retail must get their private property marks registered as provided in the rules contained in Chapter VI.

104. *Return of permit.*—On expiry of the period entered in the permit issued under rule 101 it shall be returned to the Divisional Forest Officer.

C.—Conversion of trees other than sandalwood.

105. *Mode of application for conversion of timber other than sandalwood.*—If the timber obtained from trees other than sandalwood, referred to in rule 94, is sought to be converted at a place to which the provisions of rule 88 are applicable, the applicant shall apply in writing for permission to the Range Forest Officer giving him the particulars as to the place, time and quantity of timber sought to be converted and such other particulars as may be required by that officer.

106. *Enquiries to be made by Range Forest Officer and issue of sawing permit.*—On receipt of an application under rule 105, the Range Forest Officer shall make such enquiry regarding the timber to be converted and the place where the saw-pit is to be erected and on satisfying himself as to the source and ownership of the timber to be converted and on seeing that it is not stolen from the forests he shall issue a sawing permit to the applicant.

107. *Conditions to be observed by the applicant.*—The applicant on receipt of the sawing permit shall be bound by the conditions contained therein. Such permit shall specify, *inter alia*, the name of the applicant to whom the permit is given, the place where the saw-pit is to be erected and the period within which the timber is to be converted.

108. *Return of sawing permit.*—On expiry of the period entered in the sawing permit issued under rule 106 the applicant shall return the same to the Range Forest Officer.

CHAPTER VIII.

DRIFT AND STRANDED TIMBER.

[Section 51.]

109. *Collection of drift and stranded timber and disposal thereafter.*—(1) Any person may collect timber of any of the descriptions set forth in section 45 and, pending the bringing of the same to the proper depot for the reception of drift-timber, may keep the same in his own custody, but he shall report his having done so within twenty-four hours to the nearest Forest-officer.

(2) The Forest-officer in charge of the Range in which the timber has been found shall, pending completion of the proceedings under sections 46 to 48, take possession of the timber and unless in his opinion the probable proceeds of the sale of timber are not likely to exceed the cost incurred on collecting it together with the probable cost of conveying it to a depot appointed for the reception of drift timber, he shall convey the timber to such depot.

110. *Registration of boats for salving and collecting timber.*—Any person may register in the office of the Conservator of Forests one or more boats for use in salving and collecting timber on payment of a fee of one rupee for each boat.

Such registration shall hold good for the period of one year only, but may be repeated from year to year.

111. *Persons collecting timber entitled to recompense.*—Every person, whether Forest-officer or not, who collects any such timber, shall be entitled to receive a recompense equal to 50 per centum of the estimated value of the timber. Such estimate shall be made by any Forest-officer not lower in rank than an Assistant Conservator of Forests, whom the Conservator specially authorizes in this behalf and the recompense shall be paid at once by the State Government :

Provided that in special cases the Conservator may increase the amount of the recompense to a sum not exceeding 75 per centum of the value of the timber collected.

112. *When collected timber belongs to private person such person to pay all costs.*—If the timber collected shall be proved to be the property of any person other than the State Government, such person shall be liable to pay to the State Government under section 50 of the Act the following amounts, viz. :—

(1) on account of salving and collecting, the actual amount of recompense paid to the person who collected it ;

(2) on account of moving, the actual cost incurred in moving it to the depot for the reception of drift timber ;

(3) on account of storing, such fees as shall from time to time be fixed by the Conservator of Forests, with the previous sanction of the State Government for the storing of timber at such depot.

113. *No person other than authorised Forest-officer to mark timber.*—No person other than a Forest-officer authorised in this behalf by the Conservator of Forests shall mark any timber to which the rules in this chapter apply.

CHAPTER IX.

POWERS AND DUTIES OF FOREST OFFICERS AND REVENUE OFFICERS.

[Section 76 (a).]

114. *Commissioner to be chief controlling authority.*—Subject to the control and direction of the State Government, the Chief Controlling Authority in any division in all matters relating to forest administration, except those mentioned in rule 115, shall be the Commissioner.

115. *Duties of Commissioners.*—Except in matters relating to departmental finance, purely technical forest operations, appointment, leave or transfer of establishment, and other matters with which the Chief Conservator is empowered to deal the Commissioners, Northern, Central and Southern Divisions shall, for the purposes of administration,—

(a) issue orders and instructions to Collectors and Conservators ;

(b) interpret the orders of the State Government where any question arises as to the meaning of such orders ;

(c) settle all matters in which any difference of opinion arises between the Forest Department and any other department ;

(d) promote generally the harmonious working of the Revenue and Forest Departments ; and

(e) receive, consider and when such reference is necessary, refer to the State Government, with their own views in each case, all reports respecting forest matters submitted to them, whether from the Revenue or from the Forest Department.

116. *Collectors to be responsible for forest administration.*—Except in matters relating to purely technical forest operations, the Collector of each district is responsible for forest administration and the Divisional Forest officers shall be assistants to the Collector and subject to his orders.

117. *Chief Conservator, his powers and duties.*—The Chief Conservator of Forests is the head of the Forest Department and the technical adviser of the State Government in forest matters. He is empowered to deal on his own authority with purely technical questions, such as the operation of sanctioned working plans, fire protection and silvicultural operations generally, and with matters regarding which powers have been delegated to him. In regard to all purely technical matters he will be the controlling authority over the Conservators and in regard to other matters he shall be in the position of adviser, being consulted either by the Commissioner or by the State Government as the case may be.

118. *Powers of Conservators.*—Subject to the other provisions of these rules and subject to the instructions issued by the Chief Conservator from time to time, each Conservator of Forests in his own Circle shall direct all technical forest operations.

119. *Conservators to control Forest-officers.*—Except in so far as is otherwise directed in orders of the State Government, the departmental control of all Forest-officers in a Circle vests in the Conservator of Forests of that Circle, subject to the control of the Chief Conservator.

120. *Procedure regarding departmental communications.*—In matters relating to departmental finance or to appointment, transfer or leave of establishment, and in those mentioned in rule 117, as matters to be dealt with by the Chief Conservator, on his own authority, the Conservators shall address all communications to the Chief Conservator. On other subjects they shall address the Commissioner concerned.

121. *Divisional Forest officers.*—All Divisional Forest Officers and their subordinates shall, in all but purely technical matters, be subordinate to the Collector of the district in which they are serving. Postings, punishments, rewards, leave and transfer of subordinate forest establishment shall be made, awarded or granted by the Divisional Forest Officer subject to the general power of control vested in the Chief Conservator of Forests.

122. *Powers of Collector and Divisional Forest Officer regarding local supply, public rights, pastures, etc.*—In all matters relating to supply of forest produce including grass for the domestic and agricultural requirements of the villagers, grazing and the rights and privileges of the people in or in respect of forest, orders shall be issued by the Divisional Forest Officer after approval by the Collector.

The management and control of the pastures and fodder reserves handed over to the Revenue Department vests exclusively in the Collector subject to the orders of the Commissioner and of the State Government. In this respect the Conservator of Forests and the Divisional Forest Officers are to act in the capacity of consultative officers, advising and giving their opinions on all questions of a technical character that may be referred to them by any of the said authorities.

123. *Forest compartment not to be closed except under the orders of the Collector.*—No forest compartment shall be closed, whether for planting or reboisement or for punitive purposes, except under the order or with the approval of the Collector.

This rule does not apply to the closure of compartments in accordance with a duly sanctioned working plan.

124. *Certain cases to be submitted through the Collector—Difference of opinion.*—Subject to any instructions which may be given by the Commissioner, orders issued by a Conservator to any Divisional Forest Officer and all correspondence between the Conservator and any such officer on the following subjects shall be forwarded through the Collector who will record such remarks thereon or in matters other than such as are described in rules 117 and 118 give such directions with regard thereto as he thinks fit :—

Working Plans.

Fixing of rates for sale of minor forest produce.

Forest Settlements,

Afforestation and disforestation,

Rights and privileges,

Closure of forest areas in respect of grazing or other privileges,

Enhancement or reduction of grazing fees,

Local supply of fuel grass and grazing,

Rab, dalhi or kumri cultivation,

Annual administration report.

Recovery of forest revenue or outstandings under section 82 and of penalties due under bond under section 85 of the Act,

Supply of fire-arms,

Diaries of Divisional Forest Officers,

Civil suits,

Thefts of Government money.

In the event of a difference of opinion between a Collector and the Conservator of Forests, either officer may refer the matter to the Commissioner, who will either dispose of the reference himself, or, if he thinks it necessary, obtain the orders of the State Government.

125. *Orders of forest-officers to village-officers to be ordinarily sent through Mamlatdar.*—Orders by forest officers to village-officers shall ordinarily be sent through the Mamlatdar to whom the village-officers are subordinate but may, if urgent, be sent direct : provided that in the latter case a copy of the order shall at the same time be sent to such Mamlatdar as aforesaid.

126. *Forest guards not to leave beat for report to revenue or police officer.*—No revenue or police officer shall call a forest guard off his beat, nor shall a forest guard leave his beat in order to report himself to such officer.

127. *Action to be taken when felling of a compartment is delayed beyond due time.*—(1) If it becomes necessary to delay the felling of a compartment beyond the time at which such felling would, according to regular rotation, be due, the Divisional Forest Officer shall, subject to the orders of the Conservator and the Chief Conservator as regards deviations from sanctioned working plans, and with the approval of the Collector when necessary under rule 122, make arrangements for meeting the requirements of villagers in the locality.

(2) For such purpose the villagers may, if necessary, and if no other arrangement is practicable, be permitted to enter the compartment the felling whereof has been so delayed and lop for themselves, under the supervision of a forest subordinate appointed for the purpose by the Divisional Forest Officer, the material to which, but for such delay, they would have been entitled.

CHAPTER X.

CONTRACTS.

[Sections 76 (d) and 85.]

128. *Persons entering into contract with Forest-officers should execute written instrument to perform contract and to pay expenses in case of breach.*—Whoever enters into any contract with any Forest-officer acting on behalf of the Governor of Bombay, shall, if so required by such Forest-officer, bind himself by a written instrument to perform such contract and to pay to such Forest-officer on behalf of the Governor of Bombay the expenses necessary for or incurred in the execution of any work or thing to be done which he has bound himself but has failed to do.

Explanation.—A person, who makes a written tender for a contract, or who signs the conditions of an auction sale at which he is a bidder, such tender or conditions of sale being on or in a form furnished by a Forest-officer for that purpose, whereby he—

(a) binds himself to perform the contract for which he tenders or bids, in the event of his tender or bid being accepted, or

(b) binds himself not to withdraw his tender or bid during the time that may lapse before its acceptance or refusal is communicated to him,

shall be deemed to have been required by such Forest-officer to bind himself as aforesaid, and

in case (a) on the acceptance of his tender or bid, or

in case (b) on the making of his tender or bid,

to have bound himself accordingly, within the meaning of this rule; and any such person need not enter into a separate written instrument for the purpose, unless specially so required by the Forest-officer with whom he contracts.

CHAPTER XI.

PENALTIES AND REWARDS

[Sections 42, 51 and 76 (b).]

129. *Penalties for breach of certain rules.*—Whoever contravenes the provisions of rules 66, 70, 71 (3) to (7), 72, 75, 76, 80 to 82, 84, 85 (2), 86, 88, 102, 104, 105, 107 to 109, or 113 shall be punishable with imprisonment for a term which may extend to six months or with fine which may extend to five hundred rupees or with both.

130. *Rewards out of fines and confiscations.*—A Conservator of Forests or a Divisional Forest Officer of not less than seven years' service in gazetted rank empowered by the Conservator in this behalf, and in the case of reserved or protected forests handed over to the Revenue Department for management, the Collector of the district may authorise payment by way of reward, of such sum as he deems fit out of the fine recovered or the proceeds of property confiscated under the Act, to any person by whose assistance the conviction was obtained or the property liable to confiscation discovered :

Provided that except in any case where the Magistrate otherwise directs, the aggregate amount of rewards paid under this rule shall not exceed one-half the net proceeds of the fine or confiscation.

SCHEDULE A.

[See Rule 35.]

Game Book.

Block—

Kind of game.	Number allowed to be shot	Date of shooting.	Dimensions.	Name of sportsman with number shot.	Balance available for shooting.
Bison	...	1st head, 2nd head, etc.	Outside span of horns.	...	...
Sambar	...	Do.	(Length of horns).	...	...
Cheetal	...	Do.	Do.	...	...
Tiger	...		(Length from nose to tip of tail between uprights: length of tail and height from heel to top of shoulder).	...	...
Panther	...		Do.	...	...
Others (bears, pig, wild dog, hyena, etc.).		(Number shot).		...	...

SCHEDULE B.

[See Rule 42 (1) (f) (ii).]

List of trees which the occupiers of spice gardens in Kanara and their tenants may not, without the previous permission of the Mamlatdar, fell in the protected forest assigned to them as betta.

- | | |
|---------------|-------------------------------|
| 1. Balghe, | <i>Vitex altissima.</i> |
| 2. Karimutal, | <i>Eugenia dalbergioides.</i> |
| 3. Shiwani, | <i>Gmelina arborea.</i> |
| 4. Hirda, | <i>Terminalia chebula.</i> |
| 5. Honni, | <i>Pterocarpus marsupium.</i> |
| 6. Jhall, | <i>Shorea talura.</i> |
| 7. Matti, | <i>Terminalia tomentosa.</i> |

8. Nandi or nana,	<i>Lagerstroemia microcarpa</i>
9. Phanas,	<i>Artocarpus integrifolia</i> .
10. Wonte,	<i>Artocarpus lakoocha</i> .
11. Bokli or nanja,	<i>Mimusops elengi</i> .
12. Heddi,	<i>Adina cordifolia</i> .
13. Sagdi,	<i>Schleichera trijuga</i> .
14. God hunshi,	<i>Albizia odoratissima</i> .
15. Holimatti,	<i>Terminalia arjuna</i> .
16. Sampige,	<i>Flacourtia montana</i> .
17. Haiga or kabsi,	<i>Hopea wightiana</i> .
18. Manjuti,	<i>Adenanthera pavonina</i> .
19. Surhonni,	<i>Calophyllum tomentosum</i> .
20. Hebbalsu or patphanas,	<i>Artocarpus hirsuta</i> .
21. Jamba,	<i>Xylia xylocarpa</i> .
22. Mashi or phudgus,	<i>Alseodaphne semicarpifolia</i> .
23. Karanchi,	<i>Bridelia retusa</i> .
24. Katamb,	<i>Stephegyne parvifolia</i> .
25. Siris,	<i>Albizia lebbek</i> .
26. Belati,	<i>Albizia procera</i> .
27. Kharsing or gensu,	<i>Stereospermum xylocarpum</i>
28. Hongal or kindal,	<i>Terminalia paniculata</i> .
29. Dadsal,	<i>Grewia tiliaefolia</i> .
30. Dindal,	<i>Anogeissus latifolia</i> .
31. Womb,	<i>Saccopetalum tomentosum</i> .
32. Devdar lal,	<i>Chikrassia tabularis</i> .
33. Devdar pandra,	<i>Cedrela toona</i> .
34. Mhowra,	<i>Bassia latifolia</i> .
35. Moha or ippi,	<i>Bassia longifolia</i> .
36. Bobbi or irai,	<i>Calophyllum wightianum</i> .

SCHEDULE C.

[See Rules 47 (b) and 50.]

(a) Kinds of trees excluded from the term "injaili" as defined in rule 47 (b)—

(i) in the case of the protected forest in the district of Thana :—

1. Teak (*Tectona grandis*),
2. Blackwood (*Dalbergia latifolia*),
3. Sandalwood (*Santalum album*),
4. Tiwas (*Ougeinia dalbergioides*),
5. Khair (*Acacia catechu*);

(ii) in the case of the protected forest in the Peint taluka of the Nasik district :—

1. Teak (*Tectona grandis*),
2. Blackwood (*Dalbergia latifolia*),
3. Sandalwood (*Santalum album*),
4. *Tiwas* (*Ougeinia dalbergioides*),
5. *Khair* (*Acacia catechu*),
6. *Mhowra* (*Bassia latifolia*),
7. *Hirda* (*Terminalia chebula*),
8. Mango (*Mangifera indica*),
9. Tamarind (*Tamarindus indica*) ;

(iii) in the case of the protected forest in the district of Kolaba :—

1. Teak (*Tectona grandis*),
2. Blackwood (*Dalbergia latifolia*),
3. Sandalwood (*Santalum album*),
4. *Khair* (*Acacia catechu*),
5. *Apta* (*Bauhinia racemosa*),
6. *Dhavda* (*Anogerissus latifolia*),
7. *Dhamni* (*Grewia tiliaefolia*),
8. *Shivani* (*Gmelina arborea*),
9. *Jamba* (*Xylia xylocarpa*).

(b) Kinds of *injaili* fruit trees referred to in rule 50, which a cultivator shall not cut down, lop or pollard :—

(i) in the protected forest in the district of Thana :—

1. *Hirda* (*Terminalia chebula*),
2. Mango (*Mangifera indica*),
3. *Mhowra* (*Bassia latifolia*),
4. Tamarind (*Tamarindus indica*),

and in addition the thirteen kinds of trees mentioned in clause (ii) below ;

(ii) in the protected forest in the Peint taluka of the Nasik district :—

1. *Alu* (*Vangueria spinosa*),
2. *Ambada* (*Spondias mangifera*),
3. *Awla* (*Phyllanthus emblica*),

4. *Beheda* (*Terminalia belerica*),
 5. *Bhokar* (*Cordia myxa*),
 6. *Bor* (*Zizyphus jujuba*),
 7. *Jambul* (*Eugenia jambolana*),
 8. *Kawath* (*Feronia elephantum*),
 9. *Phanas* (*Artocarpus integrifolia*),
 10. *Tad palm* (*Borassus flabellifer*) except for lopping of leaves for the gatherer's domestic use for thatching only.
 11. *Temburni* (*Diospyros melanoxylon*),
 12. *Toran* (*Zizyphus inoplii*),
 13. *Umbar* (*Ficus glomerata*) ;
- (iii) in the protected forest in the district of Kolaba :—
1. *Hirda* (*Terminalia chebula*),
 2. *Mango* (*Mangifera indica*),
 3. *Mhowra* (*Bassia latifolia*),
 4. *Temburni* (*Diospyros melanoxylon*).

SCHEDULE D.

[See Rule 56.]

Form of Lease.

To *A. B.*, resident of

I, *C. D.* (here enter *the executant's official designation*), on behalf of the Governor of Bombay, hereby grant to you *A. B.*, a lease for _____ years, commencing from the _____ day of _____ 19____, of the field No. _____ in the protected forest of the village of _____ in the Akola Taluka of the Ahmednagar District on payment of an annual rent therefor of Rs.

This lease is granted subject to the provisions of the Indian Forest Act, 1927, and of the rules made thereunder.

Dated the _____ day of _____ 19____.

(Signed) *C. D.*

SCHEDULE E.

[See Rule 56.]

Form of Counterpart Agreement.

To the Governor of Bombay.

I, *A.B.*, inhabitant of _____ in the Akola Taluka of the Anmednagar District, hereby accept the lease of the field No. _____ in the Protected Forest of the above village for the term of _____ years, commencing on the _____ day of _____ 19____, subject to the provisions of Indian Forest Act, 1927, and the rules made under this Act, and I undertake to pay annually Rs. _____ on account of the rent of the said No. _____ in the instalments and on the dates prescribed in this behalf in the rules aforesaid.

Dated the _____ day of _____ 19____.

Written by

(Signed)

Signed by *A.B.* in the
presence of

Endorsement.

We, the undersigned, declare that, to the best of our knowledge and from the best information we have been able after careful inquiry to obtain, the person who has executed this agreement is *A.B.*, resident of the abovenamed village of _____ and that he has been residing in the said village for a period exceeding five years and is a fit person to be accepted as responsible for the punctual payment of the rent of the land which has been leased to him.

(Signed) *E. F.*, Patel(Signed) *G. H.*, Accountant,

} of the above village of _____

SCHEDULE F.

[See Rule 94 (1) (b) (i).]

List of trees in each district which may not be cut or removed without the permission of the Divisional Forest officer under clause (1) (b) (i) of rule 94.

Name of district.	Species of trees to which rule 94 (1) (b) (i) applies.	Areas to which rule 94 (1) applies.
1	2	3
1. Broach and Panch Mahals	1. Teak ... 2. Blackwood ... 3. Sandalwood ...	Panch Maha's Sub-division.
2. Surat ...		
3. Nasik ...		
4. East Khandesh ...		
5. West Khandesh ...	1. Teak ...	
6. Poona ...	2. Blackwood ...	Whole districts.
7. Satara ...	3. Sandalwood ...	
8. Kolaba ...		
9. Belgaum ...		
10. Dharwar ...		
11. Bijapur ...		
12. Thana ...	1. Teak ... 2. Blackwood ... 3. Sandalwood ... 4. <i>Tiwas</i> , (<i>Ougeinia dalbergioides</i>).	Whole district. Talukas coming under the Sanjan and Kalvan Settlements, viz. Vada, Shahapur (including Mokhada Peta), Dahanu (excluding Umbergaon Peta) and part of Mahim.
13. Ahmednagar ...	1. Teak ... 2. Blackwood ... 3. Sandalwood ... 4. Jambul, (<i>Eugenia jambolana</i>).	Whole district. Occupied lands on the banks of the rivers Mula, Pravara, Mhais and Mhalungi in the Parner, Rahuri, Sangamner and Akola talukas.
14. Canara ...	1. Teak ... 2. Blackwood. 3. Sandalwood. 4. <i>Honne</i> , (<i>Pterocarpus marsupium</i>). 5. <i>Matti</i> , (<i>Terminalia tomentosa</i>).	Whole district.

G. N., A. & F. D., No. 4499-J, dated 7th March 1950 (B. G., Pt. IV-A, p. 112).

Rule 66.

In exercise of the powers conferred by clause (b) of the proviso to rule 66 of the Bombay Forest Rules, 1942, published in Government Notification, in the Revenue Department, No. 4335/39, dated the 1st October 1942, the Government of Bombay is pleased to declare that the exemption granted under the said clause shall not extend to the towns of Halol and Shehra in the Panch Mahals District.

ss. 41, 42 & 76. G. N., R. D., No. 5827/28, dated 15th December 1938 (B. G., Pt. IV-A, pp. 2058-60).

Bombay
Reserved
Trees Cutting
and Removal
Rules, 1936.

Amended by G. N., R. D., No. 7480/33, dated 27th September 1940.

In exercise of the powers conferred by sections 41, 42 and 76 of the Indian Forest Act, 1927 (XVI of 1927), and by section 214 of the Bombay Land Revenue Code, 1879, (Bom. V of 1879), the Government of Bombay is pleased to make the following rules for regulating the preservation and exploitation of trees growing in occupied lands in the State of Bombay and of the kinds the right of Government to which has been reserved under the provisions of the Bombay Land Revenue Code, 1879, and the rules made thereunder, except sandalwood in the Dharwar, Canara Belgaum, Bijapur and Satara Districts, namely :—

1. *Reserved trees.*—The expression 'reserved trees' in these rules shall include trees or their after growth the right of Government to which has been reserved under the provisions of the Bombay Land Revenue Code, 1879, or rules made thereunder.

2. *Preservation of reserved trees.*—Every occupant or holder of land shall be responsible for the due preservation of all reserved trees growing on the land and shall, in the event of an injury to any such tree from whatever cause, as soon as possible report such fact to the nearest local Revenue or Forest Officer.

3. *Cutting or removal of reserved trees to be subject to payment of royalty or written permission from the Divisional Forest Officer.*—No person shall cut or remove—

(a) reserved trees without paying the prescribed royalty or value thereof and without obtaining a receipt for such payment passed by duly empowered Forest Officer, or

(b) trees of the reserved kind (over which Government has no rights) without obtaining permission from the Divisional Forest Officer. Such permission shall be given subject to such conditions as the State Government may from time to time prescribe.

4. *Power to recover royalty or value to vest in Divisional Forest Officer.*—The power to recover the prescribed royalty for each tree or the full value of the trees sought to be cut shall vest in the Divisional Forest Officer subject to such conditions as the State Government may from time to time prescribe.

5. *Mode of application for permission to cut and remove trees.*—Every person seeking to obtain permission for cutting or removing any tree referred to in rule 3 shall apply in writing to the Divisional Forest Officer. Such application shall clearly specify the survey numbers, the names of the villages, the name of the taluka and the number and kinds of trees sought to be cut or removed from each survey number. In case the survey numbers containing the trees are held by a number of persons, a joint application shall be made by all the occupants; if however one of the occupants applies for permission, the written consent of the remaining occupants to allow the applicant to cut and remove the trees shall be appended to the application.

6. *Enquiries to be made by the Divisional Forest Officer and grant of permission.*—On receipt of an application under rule 5, the Divisional Forest Officer shall make such further enquiry as he deems necessary regarding the title of the applicant to the trees, and on the conclusion of such enquiry he shall, unless there is any reason to the contrary and subject to any limitations or conditions prescribed under

rule 3 or 4 by the State Government in this behalf, recover from the applicant the royalty or value of the trees under rule 4 and give the permission in writing applied for :

Provided that if the trees are found to belong to the applicant, no royalty or value shall be recovered :

Provided further that permission to cut aftergrowth of teak in Varkas lands in the Thana District, the right to which vests in Government shall not be given unless the trees sought to be cut are required for the genuine agricultural or domestic needs of the applicants or for the benefit of the villagers generally and are not required for sale or barter.

7. *Conditions of the permission to be observed by applicant.*—Every applicant shall be bound by the conditions contained in the permission granted under rule 6. Such permission shall specify *inter alia* the name of the officer to whom the permit is to be shown by the applicant prior to the cutting or removal of the trees and the period within which the trees are to be cut or removed.

8. *Cutting and removal under rule 6.*—On receipt of the permission the applicant shall take it to the officer named therein and shall cut or remove the trees after they have been marked by that officer with such mark as may be prescribed for the purpose by the Conservator of Forests.

9. *Mode of removal and conversion.*—The removal and conversion of the trees by an applicant shall be subject to the provisions of the Bombay Presidency Forest Produce Transit Rules, 1922.

10. *Mode of application for conversion.*—If the material sought to be converted falls under rule 24 of the Bombay Presidency Forest Produce Transit Rules, 1922, the applicant shall apply in writing for permission to the Range Forest Officer giving him the particulars as to the place, time and quantity of material sought to be converted and such other particulars as may be required by that officer.

11. *Enquiries to be made by the Range Forest Officer.*—On receipt of an application under rule 10, the Range Forest Officer shall make such enquiry regarding the timber to be converted and the place where the saw-pit is to be erected and on satisfying himself as to the source and ownership of the material to be converted and on seeing that it is not stolen from the forests he shall issue a sawing permit to the applicant.

12. *Conditions to be observed by the applicant.*—The applicant on receipt of the sawing permit shall be bound by the conditions contained therein. Such permit shall specify, *inter alia*, the name of the applicant to whom the permit is given, the place where the saw-pit is to be erected and the period within which the timber is to be converted.

13. *Return of the sawing permit.*—On expiry of the period entered in the sawing permit issued under rule 11, the applicant shall return the same to the Range Forest Officer.

14. *Penalty for breach of the rules.*—Any person who infringes any of these rules, except rule 2, shall be liable to be punished with imprisonment for a term which may extend to six months or with fine which may extend to Rs. 500 or with both. The penalty for infringement of rule 2 shall be that specified in section 77 of the Indian Forest Act, 1927.

15. *Applicability of the rules.*—In other respects the Bombay Presidency Forest Produce Transit Rules, 1922, shall apply.

16. These rules shall be called "the Bombay Reserved Trees Cutting and Removal Rules, 1936."

S. 76

G. N., A. & F. D., No. 5133/48513-J, dated 19th September 1950
(B. G., Pt. IV-A, p. 558).

Amended by G. N., A. & F. D., No. 5133/21877-J, dated 28th May 1952.

In exercise of the powers conferred by section 76 of the Indian Forest Act, 1927 (XVI of 1927), the Government of Bombay is pleased to make the following rules for carrying out the provisions of Chapter V of the said Act, namely :—

1. *Definitions.*—In these rules—

(a) “Act” means the Indian Forest Act, 1927 ;

(b) “Forest Officer” means any Forest Officer not lower in rank than a Divisional Forest Officer or Sub-Divisional Forest Officer in charge of an independent Sub-Division ;

(c) “Form” means a Form appended to these rules.

2. *Form of notice under section 35 (3).*—A notice under sub-section (3) of section 35 shall be in Form I.

3. *Officer by whom objections, etc., shall be heard.*—The objections, if any, of the owner and any evidence produced by him in support of the same, after a notice under sub-section (3) of section 35 is issued to him, shall be heard by the Forest Officer in charge of the Division or an independent Sub-Division in which the Forest is situate.

4. *Action to be taken by Forest Officer after hearing objections, etc.*—After the objections, if any, of the owner and the evidence produced by him in support of the same are heard by the Forest Officer, the same shall be submitted by the Forest Officer through his superior Forest Officer to the State Government, with his remarks for its consideration.

5. *Issue of notification, etc., by State Government.*—On consideration of the objections, if any, of the owner and any evidence produced by him, if the State Government is satisfied that regulation or prohibition of any act specified in sub-section (1) of section 35 for any of the purposes specified therein or construction of any work for such purpose is necessary, it shall make a notification under sub-section (1) of section 35 or begin construction of work under sub-section (2) of the said section, as the case may be.

6. *Form of notice under sub-section (1) of section 36.*—A notice under sub-section (1) of section 36 shall be in Form II.

7. *Management of forest placed under control of Forest Officer under section 36 (1).*—

(1) The Forest Officer under whose control any forest is placed under section 36 (1) of the Act shall manage such forest according to the scheme and programme account of by the State Government in that behalf. He shall maintain a proper prepared revenue and expenditure in respect of the management of such forest.

(2) The net profits, if any, shall be paid to the owner under sub-section (2) of section 36 of the Act after the whole of the scheme drawn up for the management of the forest has been executed and after the aggregate cost incurred on the scheme is defrayed and judi, if any, due to Government is recovered.

8. *Particulars to be specified in representation made under section 38.*—(1) Every representation made to the Collector under section 38 of the Act by any owner of any land shall contain the following particulars, namely :—

- (i) name of the village with the name of taluka in which the land is situated,
- (ii) survey numbers comprising the land ;
- (iii) terms on which the land shall be managed by the Forest Officer ; and
- (iv) the provisions of the Act which shall apply to the land.

(2) Every representation shall be accompanied by authenticated extracts from the village records establishing owner's title to the land.

9. *Action to be taken by the Collector on receipt of representation under section 38.*—On receipt of a representation made by any owner of a land under section 38 the Collector shall verify whether the person making the representation has lawful title to such land and on being satisfied, he shall submit the representation to the State Government for necessary action. He shall specify the terms of management as finally agreed upon in consultation with the Forest Department. In every case such terms should state *inter alia*, the period of management, the source from which the cost of management shall be met, and the method of sharing the profit or loss accruing from the management and they should be attested by the owner as well as the Forest Officer under whose control the land is placed.

10. *Mode of management.*—The Forest Officer under whose control the land is placed shall manage it strictly in accordance with the terms mutually agreed upon and the provisions of the Act applied in that behalf by the State Government under sub-section (2) of section 38.

FORM I.

(See rule 2.)

Notice.

AGRICULTURE AND FORESTS DEPARTMENT.

Bombay Castle, 28th May 1952.

No. .—In exercise of the powers conferred by sub-section (3) of section 35 of the Indian Forest Act, 1927 (XVI of 1927), the Government of Bombay calls on to appear before on or before to show cause why the accompanying notification should not be made by the Government of Bombay under sub-section (1) of section 35 of the said Act in respect of the forests specified below and belonging to him.

If the said
be assumed that the said
the said notification.

fails to comply with this notice it will
has no objection to making

(Here enter the particulars of the forests owned by the said person.)

By order of the Governor of Bombay,

Secretary to Government.

FORM II.

(See rule 6.)

Notice.

AGRICULTURE AND FORESTS DEPARTMENT.

Bombay Castle, 28th May 1952.

To

*Whereas it has come to the notice of the Government of Bombay that you have been neglecting to abide by or wilfully disobeying the regulations or prohibitions specified in the schedule appended hereto and which have been imposed by Government Notification in the Agriculture and Forests Department, No. _____ dated _____ in respect of the forest specified in the Schedule hereto annexed ; or

*Whereas it is necessary for the purposes of constructing work under section 35(2) of the Indian Forest Act, 1927 ;

It is intended to take over the management of the said forest under the provisions of section 36 of the said Act and place it under the control of the Forest Officer _____ for management and to declare that sections _____ of the said Act shall apply to the said forest.

You are hereby directed to show cause by _____ why such an order placing the forest under control of the Forest Officer should not be made and state your objections, if any, in that connection.

Schedule.

(Here insert the relevant regulations or prohibitions which have been alleged to have been infringed by an owner of a forest.)

Dated at _____ the _____ day of _____ 19

By order of the Governor of Bombay,

Secretary to Government.